

Christopher R. Harris
Direct Dial: 1.212.906.1880
Christopher.Harris@lw.com

1271 Avenue of the Americas
New York, New York 10020-1401
Tel: +1.212.906.1200 Fax: +1.212.751.4864
www.lw.com

LATHAM & WATKINS LLP

August 12, 2022

VIA ECF

The Honorable Gabriel W. Gorenstein
United States Magistrate Judge
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

FIRM / AFFILIATE OFFICES

Austin	Milan
Beijing	Munich
Boston	New York
Brussels	Orange County
Century City	Paris
Chicago	Riyadh
Dubai	San Diego
Düsseldorf	San Francisco
Frankfurt	Seoul
Hamburg	Shanghai
Hong Kong	Silicon Valley
Houston	Singapore
London	Tel Aviv
Los Angeles	Tokyo
Madrid	Washington, D.C.

Re: *Schansman et al. v. Sberbank of Russia PJSC et al.*, Case No. 19-cv-2985-ALC-GWG; VTB Bank PJSC's Letter Requesting Extension of Time for New Counsel to File Notice of Appearance

Dear Judge Gorenstein:

On behalf of Defendant VTB Bank (PJSC) (“VTB”), we write with respect to the deadline for VTB’s new counsel to enter its appearance. On June 2, 2022, VTB requested an extension of that deadline until June 15, 2022. (Dkt No. 342). In its request, VTB noted that it had recently come to an agreement-in-principle with Marc Agnifilio and Zach Intrater of Brafman & Associates P.C. (“Brafman”), but the logistics of finalizing that engagement were taking longer than anticipated due to the Russia-related sanctions regime in the United States. (*Id.*). The Court granted that request on June 3, 2022. (Dkt No. 350). Since that time, VTB has requested five additional extensions, each of which the Court granted, effectively extending the deadline for VTB’s new counsel to appear to today, August 12. (See Dkt Nos. 358, 360, 367, 373, 382, 401, 405, 406, 410, 412).

As detailed in the attached declaration, VTB and Brafman are still unable to find a financial institution willing to accept funds relating to Brafman’s representation of VTB. Due to these continued hurdles, VTB and Brafman have been engaging in discussions with two larger law firms whose financial institutions may be able to establish an arrangement to receive payment from VTB. VTB and Brafman anticipate that they will have a final determination on this issue within the next week. VTB accordingly respectfully requests a one-week extension for its new counsel to enter its appearance, until August 19, 2022. This is VTB’s seventh request for an extension of this nature. VTB remains appreciative of the Court’s patience with these requests, and wishes to emphasize its continued desire to participate and defend itself in this litigation.

LATHAM & WATKINS LLP

Plaintiffs oppose the requested extension of time, for the express reason stated for this letter that Plaintiffs' inability to pursue any discovery from VTB causes prejudice to Plaintiffs. Plaintiffs have also stated that they intend to file an opposition to the request.

Respectfully submitted,

/s/ Christopher R. Harris
Christopher R. Harris

cc: All Counsel of Record (via ECF)